

COMBINED DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER
19603/2420 (CRF D-2354)

As a below named inventor, I hereby declare that:

COPY OF PAPERS
ORIGINALLY FILED

My residence, post office address and citizenship are as stated below next to my name.

#4

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CABBAGE PROTEINASE INHIBITOR GENE CONFERS RESISTANCE AGAINST PLANT PESTS

the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as U.S. Patent Application Serial No. 09/822,080 on March 30, 2001 and was amended on _____ (if applicable).

☐ was filed as PCT International Application Number _____ on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

| COUNTRY (IF PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 USC 119 |
|-------------------------------------|-----------------------|--------------------------------------|--|
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
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| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

**INVENTOR'S DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY (Continued)**
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PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

| U.S. APPLICATIONS | | | STATUS (Check One) | | |
|---------------------------------------|------------------|---------------------------------------|--------------------|-----------|--|
| U.S. APPLICATION NUMBER | U.S. FILING DATE | PATENTED | PENDING | ABANDONED | |
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| PCT APPLICATIONS DESIGNATING THE U.S. | | | | | |
| PCT APPLICATION NO. | PCT FILING DATE | U.S. SERIAL NUMBERS ASSIGNED (if any) | | | |
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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **Michael L. Goldman, Registration No. 30,727; Joseph M. Noto, Registration No. 32,163; Grant E. Pollack, Registration No. 34,097; Ann R. Pokalsky, Registration No. 34,697; Gunnar C. Leinberg, Registration No. 35,584; Edwin V. Merkel, Registration No. 40,087; Georgia Evans, Registration No. 44,597; Alice Y. Choi, Registration No. 45,758**

Send Correspondence to: **Michael L. Goldman, Esq.
NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603**

Direct telephone calls to:
**Michael L. Goldman
(716) 263-1304**

| | | | | |
|-----|-------------------------|--|--|---|
| 201 | FULL NAME OF INVENTOR | FAMILY NAME Stewart | FIRST GIVEN NAME C. | SECOND GIVEN NAME Neal |
| | RESIDENCE & CITIZENSHIP | CITY Greensboro | STATE/FOREIGN COUNTRY North Carolina | COUNTRY OF CITIZENSHIP United States |
| | POST OFFICE ADDRESS | P.O. ADDRESS 2105 Rolling Road | CITY Greensboro | STATE & ZIP CODE/COUNTRY North Carolina 27403/USA |
| 202 | FULL NAME OF INVENTOR | FAMILY NAME Broadway | FIRST GIVEN NAME Roxanne | SECOND GIVEN NAME M. |
| | RESIDENCE & CITIZENSHIP | CITY Grass Valley | STATE/FOREIGN COUNTRY California | COUNTRY OF CITIZENSHIP United States |
| | POST OFFICE ADDRESS | P.O. ADDRESS 11327 Reid Place | CITY Grass Valley | STATE & ZIP CODE/COUNTRY California 95945/USA |
| 203 | FULL NAME OF INVENTOR | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| | RESIDENCE & CITIZENSHIP | CITY | STATE/FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | P.O. ADDRESS | CITY | STATE & ZIP CODE/COUNTRY |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|---|---------------------------|---------------------------|
| SIGNATURE OF INVENTOR 201 <i>10-9-01 [Signature]</i> | SIGNATURE OF INVENTOR 202 | SIGNATURE OF INVENTOR 203 |
| DATE | DATE | DATE |

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| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

**INVENTOR'S DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY (Continued)**
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER
198931/420 (CRF D-2654)

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DATE

DATE

7/27/01

DATE